

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Gary Mullins, Jr.,

Civ. No. 23-1855 (JWB/DTS)

Plaintiff,

v.

Dr. Morgan, *Chief Medical Doctor*;
United States of America; Karin
Kay Parsons, *P.A.*; and Rachel
Wolfe, *R.N.*,

**ORDER
ACCEPTING REPORT AND
RECOMMENDATION OF
MAGISTRATE JUDGE**

Defendants.

Gary Mullins, Jr., pro se Plaintiff.

Trevor Brown, Esq., DOJ-USAO, counsel for Defendants.

United States Magistrate Judge David T. Schultz issued a Report and Recommendation (“R&R”) on December 30, 2024. (Doc. No. 83.) No objection has been filed to that R&R in the time permitted. Absent a timely objection, the R&R is reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, no clear error is found.

Based on the R&R of the Magistrate Judge, and on all the files, records, and proceedings in the case, **IT IS HEREBY ORDERED** that:

1. The December 30, 2024 Report and Recommendation (Doc. No. 83) is **ACCEPTED**;
2. Defendants Dr. Morgan, Karin Parsons, and Rachel Wolfe’s Motion to

Dismiss (Doc. No. 53) is **GRANTED**;

3. Plaintiff's Motion to Dismiss Dr. Morgan from Count II (Doc. Nos. 76, 80) is **GRANTED**;

4. Count II as asserted against Defendants Karin Parsons and Rachel Wolfe is **DISMISSED WITHOUT PREJUDICE**;

5. Count II as asserted against Defendant Dr. Morgan is **DISMISSED WITH PREJUDICE**; and

6. Defendants Dr. Morgan, Karin Parsons, and Rachel Wolfe are dismissed from the case.

Date: January 27, 2025

s/ Jerry W. Blackwell
JERRY W. BLACKWELL
United States District Judge